COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-Duty Non-Hit Shooting**
IAB FILE NUMBER(S):	**SH2313309**
URN#:	**912-00049-3199-055**
DATE /TIME:	**May 25, 2012 / 0450 Hours**
LOCATION:	[redacted] **Ronan Avenue, Wilmington**

Opening Statement

On May 25, 2012, Deputies Ian Stade, Christopher Smelser, [redacted] and Sergeant Anthony Baudino of the Los Angeles County Sheriff Department's Special Enforcement Bureau (SEB) were fired upon during the service of a high risk search warrant at [redacted] Ronan Avenue in Wilmington. Deputy Stade was struck in the face with shrapnel from his MP-5 sub-machine gun and sustained minor injuries. The deputies returned fire, however; the suspects were not injured. Suspects Aaron Collins and Carlos Mercado were subsequently taken into custody.

Captain John Clark, Lieutenant Patrick Libertone and Sergeants Victor Allen and Chad Smeltzer of the Los Angeles County Sheriff Department's Internal Affairs Bureau responded to the scene. Attorney Walter Katz of the Office of Independent Review was notified and also responded.

Synopsis

On May 24, 2012, a task force for the Bureau of Alcohol, Tobacco and Firearms received information that members of the Mongols Outlaw Motorcycle gang operating out of a house at [redacted] Ronan Avenue in Wilmington were selling narcotics at the location. Additionally, they learned individuals inside the house were preparing to do a drive-by shooting in retaliation for a "bunk" narcotics deal. Detective [redacted] from the Los Angeles County Sheriff Department's Major Crimes Bureau, who was working with the ATF task force, requested SEB serve a high risk search warrant at the Ronan Avenue house. Refer to the complaint report authored by Detective [redacted] on pages 1-4 of **Exhibit A** and the Search Warrant Preparation Check List **Exhibit B** for further.

The Blue Team from SEB was activated to serve the search warrant on Ronan Avenue. Sergeant Anthony Baudino, who was the team leader, and the team Scout, Deputy Ian Stade, met with investigators from the ATF task force to develop a tactical plan for the operation. They conducted a drive by of the location to determine the best containment positions, the route of travel and to plan for the necessary equipment and personnel.

Deputy Stade conducted a pre-operation briefing to the SEB personnel and Sergeant Baudino did a tactical briefing for the command staff, which included Commander Eric Parra, Captain Marvin Washington and Lieutenant Eli Vera. Once the tactical plan was approved, Sergeant Baudino deployed his team. Refer to the SEB After Action Report **Exhibit C**.

The entry team consisting of Deputies Stade, Christopher Smelser, Carlos Lopez, Leo Foisner, Johnny Montenegro and Sergeant Baudino, made their way to the location northbound on Ronan Avenue in an Armored Rescue Vehicle (ARV) driven by Deputy Kevin Brown. They off-loaded from the ARV south of the target location and proceeded to the front door on foot. The ARV and Deputy [redacted] who was to assume a containment position in the front of the location followed them.

Sergeant Baudino made the knock and notice at the front door; however, he did not receive a response from the occupants. After about forty-five seconds, Sergeant Baudino order a diversionary device to be deployed at the rear of the residence and directed the team to force entry. Deputy Montenegro put the pick in place on the metal security door and Deputy Foisner used the ram to set it. After the security door was opened, Deputy Foisner used the ram to breech the front door. Simultaneous to the front door being breech, the diversionary device was deployed.

Deputy Stade and Smelser, who now at the front door, where in the process scanning the interior of the location. They were immediately met with gunfire from inside the location. Deputy Stade returned fire with his MP5 sub-machine gun; however, he was only able to fire the weapon one time. His weapon had been struck by one of the rounds from inside the location which disabled his weapon. Refer to the Firearms examination reports **Exhibit D**.

Deputy Smelser returned fired in the direction of the muzzle flash in an effort to stop the threat. Sergeant Baudino saw the barrel of a rifle being brought up to a bedroom window that he believed posed a threat to the team. He fired two rounds into the bedroom window to stop the threat. It was determined later that Suspect Aaron Collins fired the rounds at the entry team. Suspect Carlos Mercado was identified as the person in the bedroom.

Deputy [redacted] saw an individual look out of the living room window just prior to the shooting. Once the shooting began, he saw someone look out the same window. Believing the individual was now attempting to fire at him, Deputy [redacted] fired three rounds into the window to stop the threat.

The living room windows were ported by members of the entry team and the suspects were held at gunpoint until they were taken into custody. Deputy Stade was struck in the face by bullets fragments from his gun. He indicated he sustain minor scratches to his face. Deputy Smelser was struck by debris from the doorjamb that was also caused by the gunfire from Suspect Collins. He indicated he had redness to his arms. Neither suspect was struck by the gunfire.

Involved Personnel

Ian Stade #[redacted] Deputy
Special Enforcement Bureau

Work History
Date of Employment: [redacted]
Date Assigned to Patrol:
Date Assigned to SEB: August 10, 2003
Prior Shooting Incident(s): [redacted]
Prior Founded Force:

Christopher Smelser #[redacted] Deputy
Special Enforcement Bureau

Work History
Date of Employment: [redacted]
Date Assigned to Patrol:
Date Assigned to SEB: October 7, 2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force:

[redacted] #[redacted] Deputy
Special Enforcement Bureau

Work History
Date of Employment: [redacted]
Date Assigned to Patrol:
Date Assigned to SEB: April 30, 2006
Prior Shooting Incident(s): [redacted]
Prior Founded Force:

Anthony Baudino #[redacted] Sergeant
Special Enforcement Bureau

Work History
Date of Employment: [redacted]
Date Assigned to Patrol: [redacted]
Date Assigned to SEB: September 22, 1996
Prior Shooting Incident(s): [redacted]
Prior Founded Force: [redacted]

Suspects

Collins, Aaron MB/28 DOB: 02/18/1984
Booking Number: 3169566

Mercado, Carlos MH/27 DOB: 12/17/1984
Booking Number: 3169570

Injuries

Deputy Ian Stade sustained minor scratches to his face.

Deputy Christopher Smelser sustained redness to his arm.

Physical Evidence

All the physical evidence was located and collected by Homicide Investigators, Detectives Angus Ferguson #[redacted] and Teri Bernstein #[redacted] They were assisted Forensic Identification Specialists David Alonso #[redacted] and Firearms Examiner April Wong #[redacted] of Scientific Services Bureau. The evidence description and the location where it was found are contained on pages 25-52 of **Exhibit A**.

Investigators Observations

The scene was described in detail by Homicide investigators, Detectives Angus Ferguson #[redacted] and Teri Bernstein #[redacted] refer to pages 25-31 of **Exhibit A**. Their description of the scene is consistent with IAB Investigator's observations.

The scene was also photographed by Forensic Identification Specialist II David Alonso #[redacted] of Scientific Services Bureau. Refer to the compact disc and thumb nail photos under **Exhibit E.**

The scene was documented in four sketches produced by Forensic Identification Specialist II Martin Mutuc #[redacted] and Forensic Identification Specialist I David Ozeta #[redacted] of Scientific Services Bureau, refer to the sketches and legends under **Exhibit F**.

Weapons used by Deputy

Deputy Ian Stade fired one (1) round of Department issued 9mm ammunition from his Department issued MP-5 sub-machine gun. The weapon was examined by Scientific Service's Firearms Identification Unit and found to be not functional due to a bullet impact to the left side of the receiver, which impeded the movement of the bolt assembly. Refer to the supplemental report **Exhibit C**.

Deputy Christopher Smelser fired two (2) rounds of Department issued 9mm ammunition from his Department issued MP-5 sub-machine gun. The weapon was examined by Scientific Service's Firearms Identification Unit and found to be functional, refer to the supplemental report **Exhibit C**.

Deputy [redacted] fired three (3) rounds of Department issued 9mm ammunition from his Department issued MP-5 sub-machine gun. The weapon was examined by Scientific Service's Firearms Identification Unit and found to be functional, refer to the supplemental report **Exhibit C**.

Sergeant Anthony Baudino fired three (3) rounds of Department issued 9mm ammunition from his Department issued MP-5 sub-machine gun. The weapon was examined by Scientific Service's Firearms Identification Unit and found to be functional, refer to the supplemental report **Exhibit C**.

Weapon used by Suspect

Suspect Collins fired three (3) rounds from a Springfield Armory, Model XD-40 sub-compact, 40 S&W caliber semi-automatic handgun (refer to EV-12 on pages 26 and 43 of **Exhibit A**).

Located in the room with Suspect Collins was an Uzi, Model B, 9mm Luger semi-automatic carbine containing twenty-five (25) live rounds (refer to EV-14 on pages 26 and 43 of **Exhibit A**).

Suspect Mercado had access to a Norinco, 7.62x39mm caliber, AK-type rifle with seventeen (17) live rounds (refer to EV-19 on pages 26 and 43 of **Exhibit A**).

A "Winchester," Model 1300 Defender, 12 Gauge Shotgun with five (5) shot shells (refer to EV-21 on pages 26 and 43 of **Exhibit A**).

A "RG Industries," Model RG26, 25 Auto caliber pistol with six (6) live rounds (refer to EV-23 on pages 27 and 43 of **Exhibit A**).

Property Damage

The property damage was documented on pages 27 -28 of **Exhibit A.**

Criminal Investigator

Sergeant Domenick Recchia #[redacted] and Detective Jonas Shipe #[redacted] of the Los Angeles County Sheriff's Department Homicide Bureau conducted the criminal investigation. The case was presented to the Los Angeles County District Attorney Office in Long Beach Superior Court. On May 29, 2012, the District Attorney filed eleven (11) FELONY counts as follows:

Suspect Aaron Collins

- Attempted Murder, 664/187 P.C. (3 counts)
- Assault on a Peace Officer with a Semi-Automatic Handgun, 245(d)(2) P.C. (3 counts)

Suspect Carlos Mercado

- Possession of a Controlled Substance with Firearm, 11370.1(a) H&S
- Possession of an Assault Weapon, 30605(a) P.C. (2 counts)
- Possession of a Controlled Substance for Sale, 11351 H&S
- Possession of a Controlled Substance, 4060 B&P

On June 18, 2013, Suspect Collins pled guilty to one count of Assault on a Peace Officer with a Semi-Automatic Handgun and sentenced to 12 years in state prison. The remaining counts were dismissed. On May 10, 2013, Suspect Mercado pled guilty to Possession of a Controlled Substance with Firearm and was sentenced to a 5 year suspended sentence and 60 days in jail. The remaining counts were dismissed.

Lighting and Weather Conditions

Street lighting and floodlights that were attached to the location and an adjacent house illuminated the area. The weather was cool with grey skies and drizzle.

Witness Interviews

Deputy Joseph Baclawski

On May 25, 2012, Deputy Joseph Baclawski was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 20 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Baclawski's Homicide interview.

Deputy Baclawski said he was a paramedic assigned to the search warrant operation at [redacted] Ronan Avenue in Wilmington. He was seated in the front passenger seat of the

Medcat, which he described as an armored ambulance. He said they travelled southbound (on Ronan Avenue) and took a position just north of the location, near the one four corner. Deputy Baclawski said he saw the entry team moving around a fence towards the front door. He said there were a large plate glass window and a barred security door to the front of the location. Deputy Baclawski said the exterior of the location was illuminated by two large flood lights that were shinning on the driveway. The residence across from the location had two large flood lights that were illuminating the entry team as they were coming up to the door.

> **IAB Note:** SEB uses a numbering system to identify the containment position of a location. The side of a location facing the street is identified as the one side and moving clockwise around the location to the two, three and four side.

Deputy Baclawski said he exited the MedCat to provide support for the entry team. He said he heard Sergeant Baudino give the knock and notice and demand entry. He said he heard this several times. As he was moving up, Deputy Baclawski said a flashbang was deployed on the two side of the location. As the flashbang went off, he said the entry team was attempting to force entry to the front door. Deputy Baclawski said as the team opened the front door with the ram, he heard gunfire. He estimated he heard six to seven shots. Deputy Baclawski said the first couple of shots were coming from inside the location.

Deputy Baclawski said he began to visually inspect the entry team to make sure they were still standing, in case they had to do an extraction. He said he did not see any deputies get hit. Deputy Baclawski said deputies were then giving orders to the occupants (Suspects Collins and Mercado) who were inside the location and began to extract them. He said he inspected the suspect as they came out to make sure they did not have any gunshot wounds or other injuries. Deputy Baclawski said the suspects were taken into custody and turned over to the detectives.

Deputy Mike Wilber

On May 25, 2012, Deputy Mike Wilber was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 20 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Wilber's Homicide interview.

Deputy Wilber said he was assigned to the MedCat for the search warrant operation at [redacted] Ronan Avenue in Wilmington. As they were taking a position on the one-four corner of the house, he said he saw the entry team approaching the front door. Deputy Wilber said he heard someone, whom he believed was Sergeant Baudino, give the knock and notice several times. After the knock and notice, Deputy Wilber said the security door came open and the interior door was breech. Right after the interior door was breeched, Deputy Wilber said he heard three or four gunshots coming from a

handgun. He said that was followed by two or three more shots and he saw Deputy Stade falling backwards from the door.

Deputy Wilber said that after the gunshots, everything calmed down and he heard Sergeant Baudino conducting a roll call. He said he approached the deputies, along with Deputy Vilander to make sure everyone was okay. Deputy Wilber said all the deputies were fine and the suspects were called out through the front door. He said he handcuffed the male Black suspect (Suspect Collins) and turned him over to the handling detectives.

Deputy Dana Vilander

On May 25, 2012, Deputy Dana Vilander was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 20 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Vilander's Homicide interview.

Deputy Vilander said he was the driver of the MedCat for the search warrant operation at [redacted] Ronan Avenue in Wilmington. He said he was a paramedic who was responsible for tactical medical support for the SWAT team, for any suspects or citizens that maybe injured.

Deputy Vilander said that after leaving the command post, he staged the MedCat at L Street and Ronan Avenue while the containment three personnel moved into position. Once the containment three personnel were in position, Deputy Vilander said he drove south on Ronan Avenue. As he drove south, he said he saw that the entry team was off their armored vehicle. Deputy Vilander said he parked the MedCat along the curb facing the front door of the target location. He said he heard Sergeant Baudino announce over the radio, "Sheriff's Department. We have a search warrant. Open the door." After there was no compliance, Deputy Vilander said the pick was used to open the front security door and he heard a flashbang being ordered. Right after the flashbang was deployed, Deputy Vilander said the front door was breeched. As the entry team was going through the door, he said he heard gunshots and it appeared to him entry team was stumbling backwards.

Deputy Vilander said he thought one of the entry team members had been hit, he exited the MedCat and approached. He said rounds were still being fired; however, the team members had recovered and were now standing in the doorway. Deputy Vilander said the team was now holding the suspects at gunpoint in the living room. Deputy Vilander said he checked the deputies to make sure no one was injured. After they cleared the house he checked them again to make sure no one had been hit.

Deputy [redacted]

On May 25, 2012, Deputy [redacted] was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 19 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy [redacted] Homicide interview.

Deputy [redacted] said he was assigned to the containment one position (East side) for the warrant service at [redacted] Ronan Avenue. Deputy [redacted] said he was directed to follow the entry team and to call up the ARV to be used as a rally point. As he trailed the entry team, Deputy [redacted] said he was checking the cars parked along Ronan Avenue as the entry team was making its approach to ensure no one was inside them. Deputy [redacted] said there was enough lighting from the street lights that he did not have to illuminate the interior of the cars to see inside.

When he reached the driveway, Deputy [redacted] said the entry team was close to staging at the front door. Deputy [redacted] said he heard Sergeant Baudino announcing Sheriff's Department, search warrant and heard banging on the door. As the announcements were being made, Deputy [redacted] said he continued to check the cars. He said he heard the pick and ram being used on the front door. Right after the ram was used, Deputy [redacted] said there were gunshots from inside the location.

Deputy [redacted] said he then heard what he believed was return fire from the entry team. He said he looked and saw the ram nearby and used it to breach the window . Deputy [redacted] said he did this to enable another set of eyes and a weapon inside the location to identify who was shooting at them. When he looked inside, Deputy [redacted] said he saw a male Black (Suspect Collins) in a half seated half laying position on the floor. Near Suspect Collins, Deputy [redacted] said he saw some type of rifle or mini 14 on the couch. He said he saw a male White or Hispanic (Suspect Mercado) lying on the floor at the exit of the hallway from the bedrooms. Deputy [redacted] said these suspect were being contained.

> **IAB Note:** The weapon on the couch was identified as an "Uzi" assault weapon containing one magazine with 25 live rounds (EV-14). Refer to pages 26 and 30 of **Exhibit A**.

Deputy [redacted] said a roll call was conducted to make sure no one was hit by the gun fire from the suspects. After the roll call, Deputy [redacted] said the suspect were called out one at a time and detained. Deputy [redacted] said he entered the house through the breached window to support the deputies entering through the door. They cleared the house and found no one else inside.

Deputy Ervin Francois

On May 25, 2012, Deputy Ervin Francois was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 21 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Francois' Homicide interview.

Deputy Francois said he was assigned to the containment two position (south side) for the warrant service at [redacted] Ronan Avenue. His job was to contain that portion of the location and to deploy the flashbang if one was needed. Deputy Francois said as the entry was posed at the front door, Sergeant Baudino instructed him over the radio to deploy the flashbang. Deputy Francois said he deployed the flashbang and as soon as it went off, he heard gunfire. From his position in the rear, Deputy Francois said he could hear the knock and notice from Sergeant Baudino.

Deputy Garrick Twedt

On May 25, 2012, Deputy Garrick Twedt was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on pages 20-21 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Twedt's Homicide interview.

Deputy Twedt said he was assigned to the containment two position, with Deputy Francois, for the warrant service at [redacted] Ronan Avenue. He said they were responsible for coving the back door and windows to the residence and to deploy a flashbang, if one was needed. He said they took a position in the driveway of the house to the south of the location.

Deputy Twedt said he heard Sergeant Baudino making the announcements of a search warrant. Shortly thereafter, he heard Sergeant Baudino request they deploy a flashbang. Deputy Twedt said Deputy François deployed the flashbang and then he heard a volley of gunshots.

Deputy Mike Pokorny

On May 25, 2012, Deputy Mike Pokorny was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 19 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Pokorny's Homicide interview.

Deputy Pokorny said he was assigned to the containment three position (Southwest side) on the search warrant operation at [redacted] Ronan Avenue in Wilmington. Shortly after setting up in his containment position, Deputy Pokorny said he heard over the radio Sergeant Baudino making announcements. Later he heard Sergeant Baudino call for a flashbang to be deployed. Deputy Pokorny said immediately after hearing the flashbang going off, he heard several pops that were consistent with gunfire. After the gunfire, Deputy Pokorny said Sergeant Baudino conducted a roll call and he maintained his position until after the location had been cleared.

Deputy Juan Rodriguez

On May 25, 2012, Deputy Juan Rodriguez was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 19 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Rodriguez' Homicide interview.

Deputy Rodriguez said he was assigned to the containment three position, which was on Gulf Street behind the location, for the search warrant operation at [redacted] Ronan Avenue in Wilmington. From his containment position, Deputy Rodriguez said he could not see what occurred. Over the radio, he said he heard Sergeant Baudino conduct the knock and notice and call for a flashbang. Immediately after the flashbang went off, Deputy Rodriguez said he heard a volley of gunfire. After the gunfire, Deputy Rodriguez said Sergeant Baudino conducted a roll call.

Deputy Dan Ferrell

On May 25, 2012, Deputy Dan Ferrell was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 21 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Ferrell's Homicide interview.

Deputy Ferrell said he was assigned to the containment four position (north side) on the search warrant operation at [redacted] Ronan Avenue in Wilmington. He said he was responsible for covering the house to the north of the location in case the occupants were friends of the target location.

Deputy Ferrell said he rode up to his position in the Bearcat with the deputies from Emergency Services Detail (ESD). Upon exiting the Bearcat, he said he took a position behind it. He said he saw the entry team set-up on the door and heard them say very loudly, "Sheriff's Department, search warrant, Sheriff's Department, search warrant." He said the entry team waited for a response from inside. Deputy Ferrell said he saw the entry team set the pick on the screen door and then heard two loud bangs from the ram.

At that point, Deputy Ferrell said he started running across the lawn to take his position. As he ran, Deputy Ferrell said he heard the flashbang being deployed. After the flashbang, Deputy Ferrell said he heard three gunshots coming from inside the location. As he was moving to get cover and to set-up on his position, Deputy Ferrell said he heard four more gunshots and people yelling Sheriff's Department. He said he was not sure what was going on because he now had his back to the event. He said he took a position near the grey SUV in the driveway.

Deputy Kevin Brown

On May 25, 2012, Deputy Kevin Brown was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 22 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Brown's Homicide interview.

Deputy Brown said he was the driver of the Armored Rescue Vehicle (ARV) assigned to the search warrant operation at [redacted] Ronan Avenue in Wilmington. He said he drove the entry team and dropped them off about one house south of the location. Deputy Brown said he followed the entry team as they walk to the front door of the location. He said he parked the ARV in the driveway. Shortly thereafter, Deputy Brown said he heard the knock and notice being yelled by the deputies at the front door. He said he then heard over the radio an order to deploy the flashbang to the rear of the location. Almost simultaneously, Deputy Brown said deputies breeched the front door with the pick and ram. He said Deputy Foisner had used the ram to breech the door and backed away. He said Deputy Stade moved in front him. When Deputy Stade moved to the threshold of the door, Deputy Brown said he immediately heard two to three gunshots from inside the location. Deputy Brown said the deputies, at the door, raised their weapons as they are trained to do and shots were fired once again.

Deputy Carlos Lopez

On May 25, 2012, Deputy Carlos Lopez was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 22 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Lopez's Homicide interview.

Deputy Lopez said he was assigned to the entry team for the search warrant service at [redacted] Ronan Avenue. He said he was the fourth man on the entry team. They offloaded from the armored vehicle and walked up to the porch. He said Sergeant Baudino made announcement identifying them as Deputy Sheriffs, they had a search warrant and he demanded entry. Deputy Lopez said they did not receive any compliance from the

occupants inside. He said the occupants did not give any indication they were coming to the door. Deputy Lopez said the order was given to force the door open. He said Deputy Montenegro used the pick and Deputy Foisner used the ram to open the security screen door and the front door. Once the front door was opened, Deputy Lopez said Deputies Stade and Smelser moved to the threshold of the doorway. It was at that time, Deputy Lopez said the occupants inside began firing rounds at the deputies.

Deputy Lopez said deputies began firing back. He said he was in front of one of the windows, but he could not see inside because of the curtains. Deputy Lopez said he attempted to break the window with his MP5 but was unsuccessful. He said Deputy [redacted] picked up the ram and broke out one of the windows. He said he then used the ram and broke out the window that was closest to the street, moved the curtain and was able to see inside.

Deputy Lopez said he saw Suspect Collins lying on the ground in the living room. He saw a semi-automatic handgun on the couch right next to him. On a love seat, Deputy Lopez said there was an Uzi. He said deputies ordered a second suspect (Suspect Mercado), who was in a back bedroom, to come out. Deputy Lopez said they had Suspect Mercado come out of the house and placed him into handcuffs. Suspect Collins was then ordered out and also placed into handcuffs. Once they were sure no one else was inside, Deputy Lopez said they cleared the location.

Deputy Leo Foisner

On May 25, 2012, Deputy Leo Foisner was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on pages 17-19 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Foisner's Homicide interview.

Deputy Foisner said he was assigned to the ram on the entry team for the search warrant service at [redacted] Ronan Avenue in Wilmington. He said he road to the location in the armored vehicle (ARV) where he off loaded about two houses to the south. As they approached the location on foot, Deputy Foisner said he was the fifth one in the line. When they reached the corner of the house, Deputy Foisner said a motion sensor light activated and illuminated the team. They continued to the front door and Sergeant Baudino began to knock and make verbal announcements. Deputy Foisner said Sergeant Baudino announced they were from the Sheriff's Department, that they had a search warrant and he demanded entry. He said Sergeant Baudino did this about three to four times.

Deputy Foisner said they did not receive any compliance from the occupants inside so the decision was made to force entry. He said Deputy Montenegro was on the pick and set the pick between the metal security door and the stucco. Deputy Foisner said he struck the pick twice with the ram to set it in place. Deputy Montenegro then forced the

metal security door open. Deputy Foisner said he moved in to ram the front door. To support the ram, he said Sergeant Baudino called for a flashbang to be deployed. Deputy Foisner said the flashbang went off and he rammed the door. He said he then heard three gunshots which were quickly followed by five or six shots of returned fire.

Deputy Foisner said he put down the ram and retrieved his MP5. He said Deputies [redacted] and Lopez used the ram to port the front windows to get a better view of the interior of the location. Deputy Foisner said they were holding Suspect Collins in the living room at gunpoint, when a second Suspect Mercado emerged from a hallway. Deputy Foisner said Deputy Stade gave Suspect Mercado verbal commands to get down and crawl towards them. He said Suspect Mercado crawled out of the location. Deputy Foisner said he handcuffed Suspect Mercado and escorted him out. He said he asked Suspect Mercado if there were any other suspects inside the location other than Suspect Collins, which he replied, "No."

Deputy Foisner said he returned and said he gave Suspect Collins verbal commands to crawl out, which he did. He said they cleared the location and did not find any other occupants.

Deputy John Montenegro

On May 25, 2012, Deputy John Montenegro was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 18 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Montenegro's Homicide interview.

Deputy Montenegro said he was assigned to the pick on the entry team for the search warrant service at [redacted] Ronan Avenue in Wilmington. He said he was the sixth man on the entry team. Deputy Montenegro said they off-loaded from the ARV just south of the target house. As they made their approach to the house, Deputy Montenegro said they were illuminated by lights from an adjacent house. He said the entry team staged at the door and Sergeant Baudino announced their presence, advised they had a search warrant and demanded entry several times.

After a period of time and no compliance from the occupants, Deputy Montenegro said Deputy Stade directed him to set the pick to force entry. Deputy Montenegro said he set the pick on the metal security door and Deputy Foisner, who was on the ram, struck the pick twice. Deputy Montenegro said he was able to open the security door and he moved out of the way to allow the ram access to the front door. He said about that time Sergeant Baudino ordered a flashbang to be deployed. Deputy Montenegro said the door was breached, the flashbang went off and he heard gunfire at about the same time.

Deputy Montenegro said as he was discarding the pick and preparing to support the entry team, when he saw Sergeant Baudino fire two rounds through a window at an individual inside the room. He said he saw Deputy Stade fire one or two rounds from his MP5 then transition to his handgun. Shortly thereafter, Deputy Montenegro said the individuals inside the location were being detained at gunpoint. He said he moved to cover the window to relieve Sergeant Baudino who was doing a roll call. Once the roll call was completed, Deputy Montenegro said he assisted in clearing the house.

Involved Employees

Sergeant Anthony Baudino

On May 25, 2012, Sergeant Anthony Baudino was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on pages 13-14 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Baudino's Homicide interview.

Sergeant Baudino said he received a call at about 0120 hours that his team had been activated to serve a search warrant for an ATF task force. He said he met with Deputies Stade and Smelser at the SEB office. At the office, he was briefed by them that numerous weapons had been brought to location to be used in a drive-by shooting. Based on this information, the ATF investigators requested a "hasty warrant service."

Sergeant Baudino said they responded to the command post at Pacific Coast Highway and Figueroa and met with investigators. He said he drove with a sergeant from Montebello Police Department, who was attached to the task force, to identify the target location and to see the area. Sergeant Baudino said he made observations of the location which included the front security door and exterior lighting. Additionally, he determined the placing of containment personnel and a route of travel. Once additional personnel from SEB arrived, Sergeant Baudino said they were briefed by Deputy Stade. Sergeant Baudino said he then briefed the command staff, which included Commander Parra, Captain Washington and Lieutenant Vera.

Sergeant Baudino said once the containment personnel were in place, the entry made its way northbound on Ronan Avenue to the target location. They off-loaded from the ARV about two houses south of the location. He said they walked up quietly and had the ARV wait until they were in place before moving forward and taking a position in the driveway. As they walked past the front of the house, a large pitbull began barking in the front yard. Sergeant Baudino said the entry team moved up and he made sure everyone was in place.

Sergeant Baudino said he slapped the steel security door several times with an open hand and announced "Sheriff Department. I have a search warrant' and he demanded entry. He said he did this three or four times. At about the third announcement,

Sergeant Baudino said he was not getting a response from the occupants. He said he waited about 40 to 45 seconds.

> **IAB Note:** Sergeant Baudino stated the knock and notice was not recorded due to his recorder malfunctioning. Refer to pages 5-6 of Sergeant Baudino's Homicide transcript.

Sergeant Baudino said he gave the order breech the door. As the team began to work on the door, Sergeant Baudino said he saw a hand come to the bedroom window and the blinds moving. He said he saw a male White with a shaved head looking at him through the window. Sergeant Baudino said he illuminated the male with the light on his gun. Sergeant Baudino said he told the male to open the door. He said the male quickly disappeared. At this time, Sergeant Baudino said the security door had been forced open. Due to them not receiving any verbal acknowledgment form the occupants inside, Sergeant Baudino said he ordered a diversionary device (flashbang) to be deployed. It had been predetermined that if a flashbang was needed, it would be deployed in a small area to the rear of the location.

Sergeant Baudino said just as he called for the flashbang, he heard two gunshots coming from inside the location. He said those gunshots were quickly followed by gunfire an MP5. At that time, Sergeant Baudino said he saw the barrel of a gun moving through the blinds from the bedroom window. Fearing that the entire team was out in the open, Sergeant Baudino said he "aggressed" the window and placed his MP5 toward the screen and fired three rounds in the direction of the gun barrel. He said the window was slightly above him and he fired in a slightly downward angle. Refer to page 7 of Sergeant Baudino's Homicide interview.

Sergeant Baudino said he then backed away from the window and to reassess. He said he heard a male voice scream and what sounded like a body falling against a wall or door inside. He said deputies were complaining they had been hit by debris, the front windows were being ported and deputies were giving commands to the occupants inside. Sergeant Baudino said he saw the male, he believed was in the bedroom, was now on the floor of the living room. Deputy Montenegro took his place and covered the bedroom window and Sergeant Baudino said he began to check Deputy Stade and Smelser who were at the front door and Deputy Foisner who was nearby. Sergeant Baudino said he had the deputies stand down and he conducted a roll call to make sure everyone was accounted for.

Once every one was checked and account for, Sergeant Baudino said they had the suspects crawl out of the location one at a time and placed them into handcuffs. After receiving permission from the command post, Sergeant Baudino said they entered and cleared the location.

On June 10, 2013, Sergeant Anthony Baudino was interviewed by Sergeants Victor Allen and Mark Reyes of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). The IAB interview focused on areas not covered in the Homicide

interview. The interview was digitally recorded and transcribed. During the interview, Sergeant Baudino used the sketches produce by Scientific Services to illustrate his position. The sketches are attached to his transcripts. The following is a summary of Sergeant Baudino's IAB interview.

Sergeant Baudino said he has been on the Sheriff's Department for [redacted]. He had been at SEB for seventeen years. He said he was the team leader for the Tan team at SEB. For the service of this warrant, Sergeant Baudino said he was the team leader for the Blue team.

In regards to the "hasty warrant service", Sergeant Baudino explained that a hasty warrant is when a warrant is served without the general work-up time. He said at times, they have days, weeks or months to prepare for a warrant service, which allows them time for aerial flyovers, monitor traffic and get the personnel briefed. However, he said the hasty warrants are served regularly at SEB and they rely on their training. Refer to page 3 of Sergeant Baudino's IAB interview.

> **IAB Note:** Sergeant Baudino provided IAB investigators with a copy of their after action packet with included the tactical plan for the operation **[Exhibit C].**

Sergeant Baudino said when they staged at the door, the members of the entry team are identifying and picking up any threats. He said after he conducted the knock and notice he covered the threat presented by the bedroom window (northwest bedroom). He said the suspect appeared in that bedroom window right after the flashbang went off. It was about two seconds later when the rifle barrel appeared in the window. Sergeant Baudino said he did not see who was holding the gun. He said he believed the person holding the gun was about to shoot him or a member of the team. Sergeant Baudino said he pointed his gun at an open portion of the window and fired at the gun barrel, which was his target. He said he was attempting to stop the threat from the gun. He said he could not see what was in his backdrop; however, he said he believed there were only the two suspects inside.

Once the shooting was over, Sergeant Baudino said the two suspects' were being detained at gunpoint. He started his roll call at this point to make no one was hit by the gunfire and to make sure everyone was still mentally prepared to enter and clear the house after the shooting.

Deputy Ian Stade

On May 25, 2012, Deputy Ian Stade was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on pages 15-16 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Stade's Homicide interview.

Deputy Stade said he received a call at about 0100 hours to serve a warrant at [redacted] Ronan Avenue in Wilmington for Major Crimes Bureau, who was working in conjunction with Montebello Police Department, and Alcohol, Tobacco and Firearms (ATF). The search warrant was for guns and narcotics inside the home. Deputy Stade said he arrived at the command post and was briefed by one of the investigators. Following the briefing, Deputy Stade said he drove by the location with Sergeant Baudino and a Sergeant from Montebello Police Department to formulate a route of travel, to set up containment positions, to determine how they would approach the location and to get a visual of the location.

Once all the personnel from SEB arrived on scene, Deputy Stade said each member was briefed individually, as a team and an overall briefing was done with the tactical Commander, Commander Eric Parra, Captain Marvin Washington and Lieutenant Eli Vera. After the briefing, Deputy Stade they left the command post in a convoy. Deputy Stade said he was a part of the entry team which travel in an armored vehicle north on Ronan Avenue from L Street. He said the armored vehicle stopped one house to the south of the target house and they made their approach on foot from there. Deputy Stade said they set-up on each side of the front door. Sergeant Baudino conducted the knock and notice, announced they were from the Sheriff's Department, advised they had a search warrant and told the occupants to open the door.

After making the announcement several times and giving the occupants ample time to answer the door, Deputy Stade said Sergeant Baudino ask for the pick and ram to be set. He said the screen door was forced open and the front door was then opened by the ram. Once the front door was open, Deputy Stade said he approached the right side and started scanning from left to right. As he was scanning, Deputy Stade said he heard two gunshots coming from inside the location to his left. After the first two shots, he said a third shot was fired at which time he felt something strike the left side of his face. Deputy Stade said he continued to scan to his left when he saw an individual (Suspect Collins) he said he knew he was the one shooting at them.

Deputy Stade said he fired one round in the direction of Suspect Collins and then his weapon jammed. Deputy Stade said he stepped away from the doorway and retrieved his handgun. He said he paused for a moment and heard the windows to his left being broken out by the deputies on the containment one position. Deputy Stade said he heard the deputies giving commands to "get on the floor," and "don't move" and "let me see your hands." Deputies Stade said he looked inside, illuminated the interior with his flashlight and saw Suspect Collins lying on the ground with his hands up.

Initially when he was struck in the face, Deputy Stade said he thought he was hit by either stucco or the doorjamb that was splintered by the gunshots. After examining his MP5 and saw the bullet strike to his weapon, he believed he was struck by fragments from his weapon.

On June 11, 2013, Deputy Ian Stade was interviewed by Sergeants Victor Allen and Mark Reyes of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). The IAB interview focused on areas not covered in the Homicide interview. The interview was digitally recorded and transcribed. During the interview, Deputy Stade used the sketches produce by Scientific Services to illustrate his position. The sketches are attached to his transcripts. The following is a summary of Deputy Stade's IAB interview.

Deputy Stade said he has been with the Sheriff's Department for [redacted]. He has been assigned to SEB for the last ten years. He said he was the scout for the Blue Team at SEB, and was responsible for the day-to-day training and activities for the team. On the search warrant operation at [redacted] Ronan Avenue, Deputy Stade said his main job was to develop the tactical plan for serving the warrant, which included establishing the containment positions, the route of travel and conducting the briefing.

At the point the door was breeched, Deputy Stade said he scanned the interior of the location, which he said was illuminated only by the light from an aquarium that was against the east wall of the living room. He said he used the light attached to the front of his MP5 to also illuminate the interior.

Deputy State said that about a second after the door was breeched, he began hearing a popping sound coming from the inside the location. Within a second of hearing the sound and being struck by the debris, Deputy Stade said he returned fire. He said he fired in the direction of a male who was crouched down in the living room with his hands extended in a combat shooting position. After he fired the round, Deputy Stade said the trigger from his MP5 went "dead" and he knew his gun had malfunctioned. He said he stepped away from the door, moved his MP5 to side and transitioned to his handgun. Deputy Stade said his MP5 was hanging from him on a sling. Deputy Stade said he was using the doorway as cover during the shooting.

Deputy Christopher Smelser

On May 25, 2012, Deputy Christopher Smelser was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on pages 16-17 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy Smelser's Homicide interview.

Deputy Smelser said he was assigned as the back-up scout to Deputy Stade on the entry team for the search warrant service at [redacted] Ronan Avenue. After he was briefed on the warrant, Deputy Smelser they drove to location and made their approach on foot. He said the interior of the house was dark and one of the windows in front was slightly open. Deputy Smelser said there was a large glass window on the north side of the location that was a concern. He said he covered the window as the team staged at the door.

Deputy Smelser said Sergeant Baudino approached the door, knocked loudly on it, announced their presence and demanded entry. He said there was no compliance or acknowledgement from the occupants inside. Deputy Smelser said Sergeant Baudino backed away from the door to allow room for the pick and ram. He said the screen door was opened with the pick and ram. Just prior to opening the front door with the ram, Deputy Smelser said Sergeant Baudino called for the flashbang to be deployed. Once the front door was opened with the ram, Deputy Stade said he turned his attention to the door because he was going to make entry.

Deputy Smelser said as he was processing what was inside the location, when there was a loud bang followed by three quick shots. He said his attention was toward the bedrooms and in his peripheral he could tell Deputy Stade was focused on the living room. Deputy Smelser said from the one of shots he felt debris from the doorjamb hit his right arm. He said Deputy Stade turned his attention toward the area of the first gunshot. Deputy Smelser said he was able to determine where the gunfire was coming from in the living room area from the muzzle flash. He said he was able to get down a little bit and he returned fire in the direction of the threat. Deputy Smelser said he fired two rounds and then assessed. He said the gunfire stopped and he heard someone saying, "Okay, Okay, Okay." Deputy Smelser said he could hear glass breaking by deputies trying to get a visual of the person shooting.

Deputy Smelser said he turned attention back to bedrooms to address any other threats. He said he saw a pair of hands come out. He said he ordered the person to get down on the ground and to keep his hands in view and he complied. They had both suspects crawl out to them.

On June 6, 2013, Deputy Christopher Smelser was interviewed by Sergeants Victor Allen and Patrick Mannion of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). The IAB interview covered areas not covered in the Homicide interview. The interview was digitally recorded and transcribed. During the interview, Deputy Smelser used the sketches produce by Scientific Services to illustrate his position. The sketches are attached to his transcripts. The following is a summary of Deputy Smelser's IAB interview.

Deputy Smelser said he has been with the Sheriff's Department for [redacted]. He had been assigned to SEB for five and half years. On this operation, he said he was the back-up scout to Deputy Stade, which meant he would assume the duties of the scout if Deputy Stade was not available.

At the time of the warrant service, Deputy Smelser said his initial responsibility was to check the front door to make sure it was not open or unlocked. After checking the door, Deputy Smelser said he took a position to the left of the front door covering a large window to his left, because that was now the bigger threat. He said his back was to the other members of the entry team as they fanned out took their positions and picked up additional threats. Once it was determined that a force entry was going to be done,

Deputy Smelser said he moved over to allow space for the pick and ram to have access to the front door.

After the door was forced open, Deputy Smelser said he rotated his body so he could see inside. Deputy Stade said he was responsible for picking up any threats as he looked straight ahead (to the south) into the room. He said Deputy Stade would be picking up any threats in the living room. He said he was illuminating the interior with his flashlight that was attached to his weapon. When he first looked inside, Deputy Smelser said he did not see anyone.

Deputy Smelser said when he heard the popping sound and saw the muzzle flash, he aimed his weapon in a downward direction at the source of the flash, so his rounds would not penetrate any walls in the background. He said he fired to get the person who was shooting at them to stop. He said he was about fifteen feet away from the muzzle flash. He said no one was in his line of fire and there was not a crossfire situation. Deputy Smelser said from the time of the shooting until it was over was only a few seconds.

Deputy [redacted]

On May 25, 2012, Deputy [redacted] was interviewed by Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 17 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Deputy [redacted] Homicide interview.

Deputy [redacted] said he was assigned to the containment one position on the search warrant operation at [redacted] Ronan Avenue. He said he rode on the ARV to the location along with the entry team. They stopped about one house shy (south) of the target location and off loaded from the ARV. Deputy [redacted] said his job was to walk alongside the ARV following the entry team. He said he ARV parked in the driveway of the location which was near the one-four corner of the house. Deputy [redacted] said he stood on the driver's side of the ARV forward of the front tire.

Deputy [redacted] said he was watching the windows in the front and a large pit bull that was behind a small fence. He said the entry team was staged at the front door. Sergeant Baudino began to knock on the security door and make verbal announcements identifying them and their purpose for being there. He said Sergeant Baudino made the announcement two or three times. As the announcements were being made, Deputy [redacted] said he saw the curtain move at the one-four corner and he could see the shadow of a person in the window. Deputy [redacted] said he could not identify the person because it was dark inside the house. He said the curtain closed, while Sergeant Baudino was making the announcements.

Deputy [redacted] said Sergeant Baudino requested a flashbang and he saw Deputy Francois at the one-two corner deploy a flashbang at the back door of the location. At that time, Deputy [redacted] said he heard gunfire from inside the house. He said he then heard gunfire coming from the entry team. Deputy [redacted] said the same curtain opened up again. Believing he was about to be shot at and to protect the entry team, Deputy [redacted] said he fired three rounds into the window with the open curtain. After he fired, Deputy [redacted] said he heard deputies giving commands to show their hands and not to move. He said he walked over to the deputies, who were on the four side of the location to assist them.

Deputy [redacted] said he attempted to port one of the windows with his MP5; however, it did not break it. He said he was attempting to get a visual of the interior of the location. Another deputy, using the ram, was able to port the window and Deputy [redacted] said he could now see inside. He said he was now able to see a male black (Suspect Collins) lying on the floor with his hands visible. He said Suspect Collins kept yelling "I'm sorry. I didn't know it was you guys." Deputy [redacted] said a gun about a foot and a half away from Suspect Collins and a rifle was on the couch.

On June 11, 2013, Deputy [redacted] was interviewed by Sergeants Victor Allen and Mark Reyes of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). The IAB interview focused on areas not covered in the Homicide interview. The interview was digitally recorded and transcribed. During the interview, Deputy [redacted] used the sketches produce by Scientific Services to illustrate his position. The sketches are attached to his transcripts. The following is a summary of Deputy [redacted] IAB interview.

Deputy [redacted] said he has been on the Sheriff's Department for [redacted] He had been to SEB for a little over seven years. His regular position was a scout for the Tan Team; however, he was assigned to the containment one position for this warrant service.

Deputy [redacted] said as he approached the target house, he walked alongside the ARV using the parked cars as cover. He said they were about ten yards behind the entry team. When the gunfire began Deputy [redacted] said he determined the initial rounds were coming from inside the house due to the muffled sound they made and he could see that they were not coming from the entry team. He determined the gunfire was coming from the living room area because the entry team was moving backwards.

Deputy [redacted] said when the window opened the second time, he saw an adult size silhouette in the window. Deputy [redacted] said he fired into the window because someone had already looked out the window and saw him, the entry was taking fire and he believed the person was going to shoot at him. He said he was trying to engage the suspect, by laying down cover fire to allow the entry team an opportunity to get to the rally point and to prevent the suspect from shooting at him.

In regards to his backdrop, Deputy [redacted] said it was dark inside the house when he fired. He said there was not a cross fire situation because the team was in an "L" configuration. Deputy [redacted] said it was about five seconds from the time he saw the individual look out the window the first time and he fired.

Suspect Interviews

Suspect Aaron Collins

On May 25, 2013, Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau interviewed Suspect Aaron Collins. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on pages 23-24 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Suspect Collins' interview

Suspect Collins said he was sleeping on the couch in the living room, when he heard a loud "boom" sound at the front door. Believing a home invasion was occurring, Suspect Collins said he rolled off the couch onto the floor and retrieved a handgun that Suspect Mercado kept there. Initially, Suspect Collins said he fired one round into the air, but later said he fired one round at the door because he was in fear for his life. He said he did not hear anyone identify them self as a police officer. Suspect Collins said he immediately threw away the gun and gave up when he realized it was the police. He said he never looked out any of the windows.

Suspect Carlos Mercado

On May 25, 2013, Detectives Jonas Shipe and Domenick Recchia of the Los Angeles County Sheriff Department's Homicide Bureau interviewed Suspect Carlos Mercado. The interview was digitally recorded and transcribed. A summary of the interview with Homicide Detectives is contained on page 23 of **Exhibit A**. A copy of the transcript is submitted in this case. The following is a brief summary of Suspect Mercado's interview

Suspect Mercado said he was asleep in his house when he heard people screaming outside. Believing it was his neighbors fighting, Suspect Mercado said he looked out his bedroom window. He said he saw it was the police and he screamed and alerted his friend (Suspect Collins). He said one of the deputies shined a flashlight in his face and pointed a gun at him. Suspect Mercado said he quickly duck down just before two rounds were fired into the window. Suspect Mercado said he did not have anything in his hands, nor did he hear the deputies identify themselves.

Suspect Mercado admitted to being a member of the Mongols Motorcycle Gang. He said that the guns found in the location belonged to him. Suspect Mercado said he recently acquired the Uzi and AK style rifle from a friend and was considering purchasing them. In addition, he admitted the cocaine found in the location was his for personal use.

Miscellaneous

IAB Lieutenant Patrick Libertone checked to see that the Watch Commander, Lieutenant Eli Vera took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, as well as the involved parties and witnesses personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Libertone checked to see if the watch commander attempted to have the involved parties and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.